

REMARKS

In view of the foregoing amendments and the following remarks, reconsideration and allowance of this patent application is earnestly solicited. Claims 1-9 stand rejected and are pending in this application. Claim 6 has been amended. No new matter has been introduced.

In the Office Action, the Examiner rejected claims 1-9 on indefiniteness grounds under 35 U.S.C. §112, second paragraph. With respect to independent claim 1, the Examiner contends that it is generally unclear what structure is imparted by the first recitation “said at least one secondary consumer device being constructed and arranged to draw pressurized fluid from at least one pressurized-fluid storage reservoir” and the second recitation “said at least one pressurized-fluid storage reservoir being constructed and arranged to supply said at least one pressurized-fluid-consuming device.” Applicant respectfully submits that these recitations are sufficiently definite and supported at the very least by paragraphs [0012], [0014] and [0021] of the published patent application and the associated drawing figures. More particularly, with respect to the Examiner’s inquiries set forth on page 2 of the Office Action, the pressurized-fluid storage reservoir is constructed and arranged to be in communication with both the pressurized-fluid consuming device and the secondary consumer device, thus allowing pressurized-fluid to be supplied to the pressurized-fluid consuming device on demand and allowing the secondary consumer device to draw pressurized-fluid when certain parameters are met. With respect to the rejection of claim 6, Applicant has amended the claim to recite “a signal”. Notice to the effect that claims 1-9 do not run afoul of 35 U.S.C. §112, second paragraph, is earnestly solicited.

The Examiner also rejected claims 1-9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,089,831 (“Bruehmann”). Applicant respectfully traverses the foregoing claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present application, Applicant's invention is, generally speaking, directed to an improved pressurized-fluid consuming system having secondary pressurized-fluid consumer devices capable of drawing pressurized fluid from at least one pressurized-fluid storage reservoir which also supplies additional pressurized-fluid consuming devices. The secondary consumer devices receive a value of state of the pressurized-fluid storage reservoir and draw pressurized fluid therefrom only if the value of state reaches a predetermined minimum value. The present claimed invention makes it possible to dispense with separate pressurized-fluid storage reservoirs for the secondary consumer devices.

The Bruehmann patent cited by the Examiner describes embodiments of a compressed air supply device having an air compressor connected to an air drier for supplying compressed air to at least two consumer circuits. Pressure sensors monitor pressure in the consumer circuits and send signals to control electronics, which can disconnect the consumer circuits from the compressed air supply and withdraw compressed air from the consumer circuits for transfer to secondary consumer circuits. The control electronics can also be programmed to regenerate air to the air drier.

Contrary to the Examiner's contention, Bruehmann does not teach or suggest a secondary consumer device that is constructed and arranged to receive a determined value of state of at least one pressurized-fluid storage reservoir and to draw pressurized fluid from the pressurized-fluid storage reservoir only when the value of state reaches a predetermined minimum value as affirmatively recited in independent claim 1 of Applicant's patent application. In contrast to the present claimed invention, the consumer circuits of the Bruehmann system do not receive a determined value of state of the pressurized-fluid storage reservoir and do not draw pressurized fluid from the pressurized-fluid storage reservoir when the value of state reaches a

predetermined minimum value. Rather, the consumer circuits rely on overflow valves 40.4 and 40.5 to supply compressed air and safeguard the consumer circuits from excess pressure by opening and closing associated supply line branches. *See* Bruehmann at col. 4, line 49 - col. 5, line 8. Overflow valves 40.4 and 40.5 are displaced on the line branches that supply and safeguard the consumer circuits but are not actually part of the consumer circuits themselves. In the Bruehmann system, the electronic controls act on overflow valves 40.4 and 40.5, and not the consumer circuits, when compressed air supply is desired. *See* Bruehmann at col. 7, lines 51-64. The present claimed invention eliminates the need to utilize safeguarding measures like overflow valves 40.4 and 40.5 because the electronic controls act directly on the secondary consumer devices to draw pressurized fluid from the pressurized-fluid storage reservoir when the value of state reaches a predetermined minimum value. *See* paragraph [0006] of the present published patent application.

The Federal Circuit has instructed that anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *See W.L. Gore & Assocs. v. Garlock, Inc.*, 220 U.S.P.Q. 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 841 (1984); *see also Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984) (requiring that the prior art reference disclose each element of the claimed invention arranged as in the claim). Considering that the system of the present invention as claimed in independent claim 1 differs in structure and arrangement from the system disclosed in Bruehmann, as provided above, it is respectfully submitted that the Examiner has not made a *prima facie* case of anticipation, and that claim 1 is thus patentable over Bruehmann. Notice to this effect is respectfully requested.

It is further submitted that claims 2-9, which depend from independent claim 1, are allowable for the same reasons articulated above as well as for the additional features and structure recited therein. Notice to this effect is also respectfully requested.

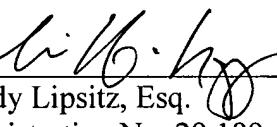
The Examiner cited Blanz U.S. Patent No. 5,678,900; Hilberer U.S. Patent No. 6,540,308; Hilberer U.S. Patent No. 7,080,891 and Aumuller et al. U.S. Patent Appl. Publ. 2004/0195910 but did not apply any of them against the application claims. Applicant respectfully submits that no further comment regarding the forgoing cited but unapplied references is deemed necessary or appropriate at this time.

On the basis of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for immediate allowance, and notice to this effect is respectfully requested. The Examiner is invited to contact Applicant's undersigned attorneys at the telephone number set forth below if it will advance the prosecution of this case.

No fee is believed due. Please charge any fee deficiency to Deposit Account No. 50-0540.

Respectfully submitted,

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